

74



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/426,878	10/26/1999	JUN HORIYAMA	35.C13969	2477

5514 7590 07/07/2003

FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
----------	--------------

2143

DATE MAILED: 07/07/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/426,878

Applicant(s)

HORIYAMA, JUN

M

Examiner

Phuoc H. Nguyen

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 24-59 is/are pending in the application.
- 4a) Of the above claim(s) 1-23 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24-59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to amendment filed June 13, 2003.
2. Claims 1-23 are cancel.
3. Claims 24-59 are pending in the application.

### *Response to Arguments*

4. Applicant's arguments with respect to claims 24-59 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 24-59 rejected under 35 U.S.C. 102(e) as being anticipated by Hiraike et al. U.S. Patent 5,995,718.
6. Referring to claims 24,31,32,33,40,41,42,49,50,51,58, and 59, Hiraike reference disclose a reference unit adapted to refer to font registration information that includes information specifying a font, wherein the font registration information is retained in the management

Art Unit: 2143

apparatus (col. 7, lines 54 through col. 8, lines 2); a font registration unit adapted to download font data to the printing apparatus for registration (col. 8, lines 16-36); and a transmission unit adapted to transmit registration information, indicating the font data downloaded by said font registration unit, to the management apparatus so as to update the font registration information retained in the management apparatus, based on the registration information, wherein the font registration information is used when the font data is downloaded to the printing apparatus by said font registration unit (col. 13, lines 63 through col. 14, lines 6).

7. Referring to claims 25,34,43, and 52, Hiraike reference disclose an instruction unit adapted to send a delete instruction to the printing apparatus to delete the font data registered in the printing apparatus, wherein the font registration information retained in the management apparatus is updated in response to deletion of the font data, in accordance with the delete instruction (col. 9, lines 26-63).

8. Referring to claims 26,35,44, and 53, Hiraike reference disclose a specifying unit adapted to specify information on a font to be downloaded, based on the font registration information referred to by said reference unit (col. 12, lines 28-45).

9. Referring to claims 27,36,45, and 54, Hiraike reference disclose font registration unit collectively downloads the font data to a plurality of printing apparatuses for registration (col. 9, lines 17-19).

10. Referring to claims 28,37,46, and 55, Hiraike reference disclose a specifying unit adapted to specify information on a font to be registered in the printing apparatus, based on the font registration information referred to by said reference unit (col. 12, lines 28-45).

Art Unit: 2143

11. Referring to claims 29,38,47, and 56, Hiraike reference disclose the font registration information indicates a printer name and a font name in combination for each of a plurality of printing apparatuses, said specifying unit specifies information on a font to be downloaded to each printing apparatus, based on the font registration information, and said font registration unit collectively downloads the font data to the plurality of printing apparatuses for registration, in response to specification of the information by said specifying unit (Figure 18; col. 5, lines 66 through col. 6, lines 7; col. 9, lines 17-21; and col. 12, lines 28-45).

12. Referring to claims 30,39,48, and 57, Hiraike reference disclose the font registration information includes information that indicates a printer name and a font name (Figure 18; col. 5, lines 66 through col. 6, lines 7).

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2143

*Conclusion*

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kitagawa et al. U.S. Patent 5,799,206

Flowers, Jr. et al. U.S. Patent 5,533,174

Matsumoto U.S. Patent 6,507,407

Ooishi U.S. Patent 6,243,704

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 703-305-5315. The examiner can normally be reached on Mon -Thu ( 7AM-4:30PM ) and off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703-308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Phuoc H. Nguyen  
Examiner  
Art Unit 2143

\*\*\*

June 23, 2003

  
**DAVID WILEY**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100